

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor:	Jussi Maaniity	Confirmation: No.:	5201
Serial No.:	10/694,715	Group Art Unit:	2174
Filed:	October 27, 2003	Examiner:	R.F. Pitaro

Title: MULTIMEDIA PRESENTATION EDITOR FOR A SMALL-DISPLAY
COMMUNICATION TERMINAL OR COMPUTING DEVICE

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO FINAL OFFICE ACTION ACCOMPANYING RCE

Sir:

This is a response to an office action mailed 30 July 2010.

In the event that a proper request for an extension of time has not been requested, the Commissioner is hereby authorized to consider this a Petition for a conditional extension of time in order to maintain the pendency of the patent application so as to submit this response, and is also authorized to deduct any fee deficiency associated with the petition as well as any other fee deficiency, including fees related to extra claims, that has been inadvertently omitted, to deposit account number 230442.

IN THE CLAIMS:

Please amend the claims as follows:

1. (Currently amended) A method, comprising:

assembling in a handheld telecommunication terminal a plurality of image objects of a slide in a first column, the ~~plurality~~ plurality of image objects forming part of the slide that change and are to be displayed sequentially one after the other when a multimedia presentation is played on the handheld telecommunication terminal having a display device, and also assembling in the handheld telecommunication terminal any and all objects of the slide in a second column, the any and all objects forming part of the slide that remain static and are to be displayed in parallel with and side-by-side with any of the plurality of image objects of the first column when the multimedia presentation is played; and

displaying at the same time the first and second column side-by-side on the display device in the same horizontal arrangement as the objects will be displayed when the multimedia presentation is played, for editing by a user,

wherein the method further comprises presenting the user with a dialog box in which the user is able to provide a duration that the plurality of image objects of the slide that change is to be displayed.

2. (Previously Presented) A method as in claim 1, wherein the multimedia presentation is for communication as a multimedia message service message.

3. (Previously Presented) A method as in claim 1, wherein a synchronized multimedia integration language is used to prescribe how the multimedia presentation is to be played, and the plurality of image objects in the first column displayed for editing are included in a sequential time container within a parallel time container of a code fragment according to the synchronized multimedia integration language.

4. (Previously Presented) A computer program product comprising: a computer readable storage structure embodying computer program code thereon for execution by a computer processor in a communication or computing terminal, with said computer program code characterized in that it includes instructions for performing the method of claim 1.

5. (Currently Amended) An apparatus, comprising:

means for assembling in a handheld telecommunication terminal a plurality of image objects of a slide in a first column, the ~~plurality~~plurality of image objects forming part of the slide that change and are to be displayed sequentially one after the other when a multimedia presentation is played on the handheld telecommunication terminal having a display device, and also assembling in the handheld telecommunication terminal any and all objects of the slide in a second column, the any and all objects forming part of the slide that remain static and are to be displayed in parallel with and side-by-side with any of the plurality of image objects of the first column when the multimedia presentation is played; and

means for displaying at the same time the first and second column side-by-side on the display device in the same horizontal arrangement as the objects will be displayed when the multimedia presentation is played for editing by a user,

wherein the apparatus further comprises means for presenting the user with a dialog box in which the user is able to provide a duration that the plurality of image objects of the slide that change is to be displayed.

6. (Previously Presented) An apparatus as in claim 5, wherein the multimedia presentation is for communication as a multimedia message service message.

7. (Previously Presented) An apparatus as in claim 5, wherein a synchronized multimedia integration language is used to prescribe how the multimedia presentation is to be played, and the plurality of image objects in the first column displayed for editing are included in a sequential time container within a parallel time container of a code fragment according to the synchronized multimedia integration language.

8. (Previously Presented) A telecommunications network including a plurality of telecommunications terminals at least one of which includes an apparatus according to claim 5.

9. (Previously Presented) A method as in claim 1, wherein the second column includes only one object, which is to be displayed continuously when the presentation is played.

10. (Previously Presented) An apparatus as in claim 5, wherein the second column includes only one object, which is to be displayed continuously when the presentation is played.

11. (Currently Amended) An apparatus, comprising a processor configured via instructions stored on a computer-readable storage structure embodying computer program code so as to:

assemble in a handheld telecommunication terminal a plurality of image objects of a slide in a first column, the ~~plurality~~ plurality of image objects forming part of the slide that change and are to be displayed sequentially one after the other when a multimedia presentation is played on the handheld telecommunication terminal having a display device, and also assembling in the handheld telecommunication terminal any and all objects of the slide in a second column, the any and all objects forming part of the slide that remain static and are to be displayed in parallel with and side-by-side with any of the plurality of image objects of the first column when the multimedia presentation is played;

display at the same time the first and second column side-by-side on the display device in the same horizontal arrangement as the objects will be displayed when the multimedia presentation is played for editing by a user; and

to present the user with a dialog box in which the user is able to provide a duration that the plurality of image objects of the slide that change is to be displayed.

12. (Previously Presented) An apparatus as in claim 11, wherein the multimedia presentation is for communication as a multimedia message service message.

13. (Previously Presented) An apparatus as in claim 11, wherein a synchronized multimedia integration language is used to prescribe how the multimedia presentation is to be played, and the plurality of image objects in the first column displayed for editing are included in a sequential time container within a parallel time container of a code fragment according to the synchronized multimedia integration language.

14. (Previously Presented) A telecommunications network including a plurality of telecommunications terminals at least one of which includes an apparatus according to claim 11.

15. (Previously Presented) An apparatus as in claim 11, wherein the second column includes only one object, which is to be displayed continuously when the presentation is played.

16. (Previously Presented) A method as in claim 1, wherein the method further comprises receiving a signal from the user containing information that the user would like to prescribe one or more properties for an image being displayed in an edit mode.

17. (Previously Presented) A method as in claim 1, wherein the method further comprises receiving from the user the duration the plurality of objects is to be displayed.

18. (Previously Presented) A method as in claim 17, wherein the method further comprises generating a code based on the duration the plurality of objects is to be displayed, including where the code is based on a synchronized multimedia integration language.

19. (Previously Presented) A method as in claim 1, wherein the method further comprises generating a code assuming a default duration for a slide into time segments of the same duration for each image, including where the code is based on a synchronized multimedia integration language.

20. (Previously Presented) A method as in claim 1, wherein the method further comprises presenting the user with a text editor by which the user can provide a code for a slide, including referring to images either based on names associated with each and included in respective properties of the images, or based on an order in which the images appear on the display device in an edit mode, and also including where the code is based on a synchronized multimedia integration language.

REMARKS

In response to the Office Action of July 30, 2010, claims 1, 5, and 11 have been amended to correct informalities. Claims 1-20 are still pending in the patent application.

Claim Rejections- 35 U.S.C. 103

At page 2 of the Office Action claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alvesalo (U.S. 2003/0222899) in view of Pavley (U.S. 7,337,403). With respect to claim 1, it is asserted that Alvesalo teaches the method as claimed (with reference made to Figure 4 and paragraphs [0021], [0025] and [0026]), except that it does not disclose presenting the user with a dialog box in which the user is able to provide a duration that the plurality of objects is to be displayed. However, it is asserted that this feature is disclosed by Pavley (Figure 21 and column 16, lines 20-33).

Pavley discloses in column 16, lines 20-33 that the user may adjust the duration that a media object will be played to one of three durations. The first duration type disclosed is a predefined, fixed duration of 3 seconds. The second duration type is an automatic setting where the multimedia object is played for the duration of an associated audio object. The third duration type involves the user manually controlling the duration the object is played by manually changing objects during the presentation.

It is respectfully submitted that Pavley does not disclose presenting the user with a dialog box in which the user is able to provide a duration that the plurality of image objects of the slide that change is to be displayed.

Between the three duration types disclosed by Pavley, there no disclosure of a dialog box for the user to provide a duration of the user's choosing for the plurality of image objects. The third duration type does not involve providing any duration using a dialog box, as the changes are made manually during presentation. The second duration type also does not involve using a dialog box to provide a duration because under this setting the user has no ability to provide the duration the user wishes because this duration is fixed at the length of the audio object. Lastly, in the first duration type, the user also does not provide a duration in a dialog box because in the first duration type, the user can only select the predetermined, predefined fixed

duration provided by the system. Pavley does not disclose or suggest that the first duration type allows a user to provide a different duration than the predefined duration, or provide different durations for each image objects. If the user wants to provide a duration other than the predefined duration, Pavley does not disclose allowing the user to provide this duration in a dialog box, but rather, the user would have to use the third duration type and manually change the image objects during the presentation after the user has determined the desired duration has passed.

It is therefore respectfully submitted that Pavley does not disclose presenting the user with a dialog box in which the user is able to provide a duration that the plurality of image objects of the slide that change is to be displayed because Pavley only discloses allowing the user to select one of two predetermined and predefined durations (the first and second duration types).

Therefore, because Alvesalo and Pavley do not disclose or render obvious each feature of claim 1, it is respectfully submitted that claim 1 is not obvious in view of Alvesalo and Pavley, and the claim is in allowable form.

For similar reasons, it is respectfully submitted that independent claims 5 and 11 are also non-obvious over the cited references and are in allowable form.

The Office also rejects dependent claims 3, 7 and 13 as being obvious in view of Alvesalo and Pavley. However, in rejecting this claim, the Office does not provide a specific citation in Alvesalo where it discloses that the method described therein utilizes a synchronized multimedia integration language ("SMIL") to prescribe how the multimedia presentation is to be played, it only refers to Alvesalo generally.

Applicants respectfully submit that using SMIL to prescribe how the multimedia presentation according to the claims is to be played, is not disclosed or made obvious by the cited references because Alvesalo does not use SMIL and it teaches away from using SMIL in conjunction with the disclosed techniques.

Alvesalo states in the Background of the Invention section, paragraph [0004]:

A SMIL presentation is constructed from different elements, such as audio, video, text, and images. Although, the SMIL language is considered to be easy to use and learn, it requires a relatively good knowledge and skills to use it well in practice. Many users consider this too tedious.

Thus, not only is SMIL not used in any embodiment of Alvesalo, particularly the embodiment shown in Figure 4, but Alvesalo explicitly disparages the possibility

of using SMIL in its invention. Paragraph [0004] of Alvesalo teaches away from using SMIL to prescribe how the multimedia presentation is to be played because according to Alvesalo, it is “too tedious.”

“It is improper to combine references where the references teach away from their combination.” *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983). A reference can be considered to teach away from an asserted combination when the reference criticizes, discredits or otherwise discourages the combination. *In re Fulton*, 391 F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004). Furthermore, “a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention.” M.P.E.P. § 2141.02 (VI), *citing W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983).

If a person of ordinary skill in the art were to read Alvesalo in its entirety, the person would not consider using SMIL to prescribe how the multimedia presentation according to Alvesalo is to be played because of Alvesalo’s explicit criticism and disparagement of using SMIL with multimedia presentations in mobile terminals.

Furthermore, “[i]f a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.” *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); see also MPEP § 2143.01.

The stated goal of Alvesalo is “to provide a solution for the users of the multimedia terminals to create a number of different multimedia shows with different advanced features” (Alvesalo, paragraph [0006]). It would not be obvious to a person of ordinary skill in the art to modify the embodiments described in paragraphs [0021], [0025] and [0026], and shown in Figure 4, so that SMIL is used to prescribe how the multimedia presentation is to be played because doing so would render the invention unsatisfactory for that stated goal. If use of SMIL is “too tedious” for most users of multimedia terminals, then a person of ordinary skill in the art would not incorporate SMIL to “provide a solution for the users of the multimedia terminals.”

Therefore, it is respectfully submitted that because Alvesalo teaches away from using a synchronized multimedia integration language to prescribe how the multimedia presentation is to be played, dependent claims 3, 7 and 13 are not obvious in view of Alvesalo and Pavley, and the claim is in allowable form.

The remaining claims depend from and contain all the limitations of the independent claims, and are believed patentable for all the same reasons.

Conclusion

For all the foregoing reasons, it is respectfully submitted that all claims are allowable in view of the prior art, and allowance of the claims is therefore requested.

Respectfully submitted,

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Date

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